

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 4 July 2011 at Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), J. Bradshaw, A.Cole, Gilligan, Hignett, Hodgkinson, Leadbetter, McInerney and Osborne

Apologies for Absence: Councillor Balmer

Absence declared on Council business: None

Officers present: A. Jones, G. Cook, J. Tully, T. Gibbs, M. Noone, G. Henry, A. Plant, J. Farmer, R. Wakefield and R. Cooper

Also in attendance: Councillors Rowe and Gerrard and 76 Members of the Public.

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

		<i>Action</i>
DEV7	MINUTES The Minutes of the meeting held on 6 June 2011, having been printed and circulated, were taken as read and signed as a correct record.	
DEV8	PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.	
DEV9	- 11/00078/FUL - PROPOSED EXTENSION TO EXISTING PHARMACEUTICAL MANUFACTURING FACILITY (USE CLASS B2) WITH ANCILLARY WAREHOUSE AND DISTRIBUTION, EXTENDED LOADING AREA AND HARD STANDING AT TEVA PHARMACEUTICALS RUNCORN, ASTON LANE NORTH, RUNCORN The consultation procedure undertaken was outlined in the report together with background information in respect of the site.	

It was reported that in response to the additional drainage details requested, the Environment Agency had confirmed that the two pre-commencement conditions for surface water regulation and management of overland flow were no longer required, subject to a condition relating to the development being carried out in accordance with the submitted drainage details.

RESOLVED: That the application be approved subject to conditions relating to the following:

1. Specifying amended plans (BE1);
2. Restrict use to pharmaceutical manufacture, storage and distribution (E3);
3. Materials condition, requiring materials to match existing/ accord with submitted details unless otherwise approved (BE2);
4. Submission and agreement of detailed noise attenuation scheme (PR2);
5. Submission, agreement and implementation of scheme for regulation of surface water (PR16);
6. Submission, agreement and implementation of scheme for management of overland flow (PR16);
7. Wheel cleansing facilities to be submitted and approved in writing and used during construction (BE1);
8. Submission, agreement and implementation of site and finished floor levels and requiring minimum floor levels (BE1/ PR16);
9. Construction and delivery hours to be adhered to throughout the course of the development. (BE1);
10. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use (BE1);
11. Requiring submission / agreement / implementation of Travel Plan (TP16);
12. Restricting external lighting (BE1); and
13. Submission and agreement of additional details relating to location and screening to refuse and recycling areas.

DEV10 - 11/00122/HBCFUL - PROPOSED ERECTION OF 2M HIGH ALLEY GATES AND 2.4M HIGH FENCING AT ALLEYWAY BOUNDED BY 17 AND 19 BATHERTON CLOSE, WIDNES (11/00122/HBCFUL)

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

It was reported that an additional letter had been received from the resident of number 11 Batherton. They stated that they had concerns about the possible gating of Barherton Close and that they understood why it had been requested but believed that this was a policing issue and that this should not mean social isolation by the gating.

RESOLVED: That the application be approved subject to the following conditions:

1. Standard time limit for implementation; and
2. Required colour coating Dark Green BE22.

DEV11 - 11/00186/COND - APPLICATION PURSUANT TO CONDITION 57 (PERMISSION GRANTED BY SECRETARY OF STATE) ASKING HALTON BOROUGH COUNCIL FOR AGREEMENT IN WRITING, TO INCREASE THE QUANTITY OF REFUSE DERIVED FUEL DELIVERED TO THE ENERGY FROM WASTE POWER STATION BY ROAD FROM 85,000 TONNES TO 480,000 TONNES PER ANNUM AT LAND OFF PICOW FARM ROAD AT INEOS CHLOR

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

Clarification was made in relation to the statement on page 19 of the agenda, as set out in the update list.

The update list also included correspondence relevant to the agenda which was either not included in the printed agenda or which had arisen after the preparation of the printed agenda.

Objections had been received from Cheshire West and Chester Council. The objections were:

- They objected to the relaxation of the limits placed upon road transportation of RDF;
- They felt that sustainability principles or policies should not be abandoned for perceived fuel shortages or potential transportation difficulties; and
- They felt that the Carbon Transport Assessment used a set of flawed assumptions.

It was noted that the above issues were covered in the report which stated that the supporting information did not demonstrate that by agreeing to the changes this would lead to a reduction in green house gas emissions.

Further objections had been received from GVA on behalf of Covanta Energy Ltd, raising the following issues:

- They questioned whether the Council had jurisdiction to determine the application;
- They claimed that the application was deficient as the likely significant effects of a material change to an EIA development had not been fully assessed or presented;
- They stated that the application was not sufficiently justified;
- Stated that caution must be applied when considering carbon savings;
- That there was no restriction to source the fuel from within the North West region; and
- The relevant policy framework had not been taken into consideration;

It was noted that these issues were addressed in the report and in response, the Council considered that it was in a position to determine the request. Responses to GVA's letters had been provided to Members.

A further objection had been received from The Wildlife Trusts, Cheshire. They objected to the application on the grounds that it would impact on the heathland on Runcorn Hill. It was noted that following receipt of this letter the Nature Conservation Officer that had dealt with the original consultation had stated that the issue raised by Cheshire Wildlife Trust should be addressed through monitoring the effects on the Heathland on Runcorn Hill, and a management plan to address any issues should be funded through the environmental fund. It was also stated that the Mersey Gateway project was likely to reduce emissions of NOx in the area, through the more efficient movement of traffic and through the use of the central expressway.

It was reported that further discussion had taken place with Cheshire Wildlife Trust since they made their objection and they had now withdrawn their objection on the basis that the environmental fund was used to monitor and manage the heathland. Underlining this was that the Mersey Gateway would decrease the traffic flow in this area.

Further to the above objections, the following comments were also noted:

- Natural England had confirmed that it was unlikely to have a significant affect on the natural environment;
- Graham Evans MP had objected on the grounds that

the proposal would be highly detrimental to local residents and impact on the local highway infrastructure;

- The Highways Agency had no objection to the proposal; and
- The following Councillors had objected on the grounds already outlined in the report and in addition, that the traffic counter installed on Picow Farm Road was not being used correctly: Councillors Ellen Cargill, Kath Loftus, Martha Lloyd Jones, Peter Lloyd Jones and Margaret Ratcliffe.

It was reported that Ineos Chlor had provided their response to the issues raised by Cheshire West and Chester Council and Covanta Energy Ltd in a letter dated 20 June 2011. A copy of this was provided to the Committee together with the letters of objection from Cheshire West and Chester Council, GVA and the Wildlife Trust Cheshire, as mentioned above.

Officers reported that since the publication of the update list, a further 17 letters of objection had been received from local residents and a further three Councillors; Carlin, Zygadlo and C Plumpton Walsh, had also submitted their objections.

It was also reported that the applicant had, immediately prior to the meeting, submitted a unilateral 106 relating to routing. The specific undertakings were explained to the Committee.

The Committee was then addressed by Mr Jeff Meehan, who spoke against the application.

Mr Chris Tane, a representative of the applicant, then addressed the Committee in support of the application.

Councillors Rowe and Gerrard then addressed the Committee opposing the application.

Members debated the issues presented before them and raised a number of queries including:

- The level of carbon emissions implied from the application;
- Doubts over the scenarios referred to;
- The lack of information supplied by Ineos with regard to their investigations on the use of rail as a means of transportation; and

- The lack of any information from Network Rail on the issue.

Following debate it was concluded that there was insufficient information presented to the Committee to enable them to make an informed decision on the application.

RESOLVED: That the item be deferred to the August meeting of the Development Control Committee to enable additional information to be provided.

Meeting ended at 8.15 p.m.